

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
EASTERN DIVISION

DEANDRE DANNY JONTE  
BARNES,

Plaintiff,

v.

LOS ANGELES SHERIFF  
DEPARTMENT, et al,

Defendants.

Case No. 2:23-cv-06445-ODW (DTB)

**ORDER TO SHOW CAUSE  
REGARDING FAILURE TO  
UPDATE ADDRESS**

On August 7, 2023, Plaintiff filed a Civil Rights Complaint (“Complaint”) herein along with a Request to Proceed Without Prepayment of Filing Fees (“IFP Application”). (Docket Nos. 1-2.) On August 28, 2023, the Court postponed the ruling on Plaintiff’s IFP Application. (Docket No. 3.) On September 18, 2023, Plaintiff amended his IFP Application and the Court granted the same on October 17, 2023. (Docket Nos. 5-6.) On October 17, 2023, the previously assigned Magistrate Judge issued its Initial Case Management Order. (Docket No. 7.) On November 1, 2023, the previously assigned Magistrate Judge issued its Screening

1 Order. (Docket No. 8.) The matter was transferred to this Court's calendar on  
2 November 22, 2023. (Docket No. 9.) On December 27, 2023, as Plaintiff had not  
3 responded to the Court's Screening Order, the Court, *sua sponte*, extended Plaintiff's  
4 time within which to do so. (Docket No. 10.) On January 2, 2024, Plaintiff filed  
5 Correspondence and a "Motion to Preserve My Civil Rights and Waive Complaint."  
6 (Docket Nos. 11-12.) On January 12, 2024, the Court received its December 27,  
7 2023 Order returned from the institution marked "Released." (Docket No. 14.) On  
8 January 16, 2024, the Court issued an Order re Plaintiff's Motion and  
9 Correspondence filed on January 2, 2024. (Docket No. 15.) On January 29, 2024,  
10 the Court received its January 16, 2024 Order returned from the institution marked  
11 "Released." (Docket No. 17.) A review of the Los Angeles County Inmate  
12 Locator's website<sup>1</sup> revealed that Plaintiff was released on January 4, 2024 and was  
13 no longer in custody. Therefore, on February 12, 2024, the Court issued an Order  
14 re Plaintiff's Mailing Address. (Docket No. 18.) On February 15, 2024, Plaintiff  
15 filed a Notice of Change of Address. (Docket No. 19.) On February 26, 2024, the  
16 Court's February 12, 2024 Order re Plaintiff's Mailing Address was returned from  
17 the institution marked "Released." (Docket No. 20.) On the same day, the Court  
18 issued an Order extending Plaintiff's time to respond to the Screening Order due to  
19 his recent release and the return of mail. (Docket No. 21.) In March 2024, the Court  
20 again received mail (Docket Nos. 10, 12, 13, 15 and 21) returned from the United  
21 States Postal Service marked as either "Return to Sender Not Deliverable as  
22 Addressed" or as "Return to Sender Unable to Forward." (Docket Nos. 23-27.) On  
23 March 25, 2024, the Court issued an Order directing the Clerk to remove Plaintiff's  
24 booking number from his address and provide Plaintiff with duplicate copies of all  
25 documents that have been returned as undeliverable. (Docket No. 28.) On May 2,  
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28 <sup>1</sup> <https://app5.lasd.org/iic>


2024, plaintiff a “Motion to Notified” (Docket No. 30), which the Court construed as a request to update address and which the Court granted on May 6, 2024 updating Plaintiff’s address and again, *sua sponte*, extending his time to respond to the Screening Order (Docket No. 31). On May 24, 2024, Plaintiff filed a “Civil Rights Complaint” “Motion Government Tort,” listing multiple case numbers. As such, the Clerk’s Office issued a discrepancy notice (Docket No. 33). On May 30, 2024, the Court issued an Order regarding Plaintiff’s “Civil Rights Complaint” “Motion Government Tort” advising Plaintiff that it appeared to the Court that Plaintiff was intending to file a new complaint which the Court struck on May 30, 2024 and again, *sua sponte*, extended Plaintiff’s time to respond to the Screening Order. (Docket Nos. 32, 34.) On June 17, 2024, the Court received its discrepancy notice returned from the institution marked as “Return to Sender Not Deliverable as Addressed.” (Docket No. 35.) A review of the Los Angeles County Inmate Locator’s website reveals that Plaintiff was again released on May 16, 2024 and is no longer in custody. On June 24, 2024, the Court issued an Order to Show Cause Regarding Failure to Update Address. (Docket No. 36.) On June 26, 2024, the Court received its May 30, 2024 Order returned from the United States Postal Service marked as “Return to Sender” “Attempted – Not Known” “Unable to Forward” “Return to Sender.” (Docket No. 37.) On July 12, 2024, the Court received its June 24, 2024 Order to Show Cause returned from the United States Postal Service marked as “Return to Sender” “Unable to Forward.” (Docket No. 38.) On July 25, 2024, Plaintiff filed a Notice of Change of Address. (Docket No. 39.) On July 31, 2024, the Court issued an Order discharging the June 24, 2024 Order to Show Cause again, *sua sponte*, extending Plaintiff’s time within which to respond to the screening order. (Docket No. 40.) On August 5, 2024, Plaintiff filed a Notice of Appeal of the Court’s July 31, 2024 Order. (Docket No. 41.) On August 12, 2024, the Ninth Circuit Court of Appeals notified the Court and Plaintiff of the case number assigned and briefing

1 schedule to Plaintiff's appeal. (Docket No. 42.) On August 12, 2024, the Court  
2 received its July 31, 2024 Order from the United States Postal Service marked as  
3 "Return to Sender" "Not Deliverable as Addressed" "Unable to Forward." (Docket  
4 No. 43.)

5 Pro se litigants are required to keep the Court and opposing parties apprised  
6 of their current address. Central District of California Local Rule 41-6. Therefore,  
7 Plaintiff is ordered to show cause why this action should not be dismissed for lack  
8 of prosecution and failing to comply with the Court's Local Rules. Plaintiff may  
9 alternatively file a Notice of Change of Address to discharge this Order to Show  
10 Cause. Plaintiff's response is due no later than **September 27, 2024.**

11 **Plaintiff is hereby cautioned that failing to comply with this Order will**  
12 **result in the recommendation that this action be dismissed for failure to**  
13 **prosecute and failure to comply with the Court's Local Rules.**

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15 Dated: September 3, 2024

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17 DAVID T. BRISTOW  
18 United States Magistrate Judge  
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